The District has prepared the following responses to the comments contained in this letter.

Each comment consists of 1) a suggestion for action or change, and 2) the argument, if any, supporting the suggestion.

The comments identified by the District have been numbered. Refer to the attached copy of the original comment letter for the comment numbers. Some responses below refer to District responses found in the Consolidated Responses to Comments ("CRC") document. References to that document will be in one of two forms. A reference will be either to a section in the introductory portion of that document (e.g., "see CRC § 1.A.") or to a numbered response to specific comments (e.g., "see CRC Response #155")

	Response
1.	The District is responding separately to all comments contained in the referenced documents. No further responses will be made at this time. See Consolidated Responses to Comments on Refinery Title V Permits (July 25, 1993).
2.	As noted in the CRC document, the District noted certain themes amongst comments received and addressed those in a prologue portion of the document. This was additional to, and not in lieu of, responses to specific comments.
3.	The comment asserts that is inappropriate to have different levels of explanation for deletion of terms amongst the various refinery permits. The District agrees that a broad level of consistency is desirable, and has attempted to achieve that. The District's focus in responding to comments has been to address concerns directed at specific instances of deletions.
4.	The argument supporting a suggested change is incorrect as a matter of law. The District issues Title V permits in accordance with the regulations in its EPA-approved program. There is no provision in 2-6 that correlates with the provision of Part 70 cited in the comment. In any case, the distinction is without consequence in this context. Under both Part 70 and 2-6, applications are deemed complete after a default period of time. More importantly, the District's focus has been on issuing an adequate permit, not on assisting refineries in perfecting their applications.
5.	The argument supporting a suggested change is factually incorrect. No change has been made to the permit. No examples of current or ongoing noncompliance were raised in previous comments. See CRC Section 3C.
6.	The comment asserts that compliance certifications submitted with the application were "potentially false." The District is not aware that any of the refineries falsely certified compliance. That violations have occurred since the date of application submittal does not change this assessment.
7.	The argument supporting a suggested change is incorrect as a matter of law. No change has been made to the permit. See CRC Section 4.
8.	The argument supporting a suggested change is incorrect as a matter of law. No change has been made to the permit. The District's inventories are adequate for some purposes, and inadequate for others. The District evaluates issues concerning evidentiary support for proving violations on a case by case basis. Though any specific number drawn from the emissions inventory number might be accurate, the process by which the inventory is created and maintained does, standing alone, provide a sufficient level of confidence. The District would not use an emissions inventory statistic for purposes of determining compliance without further verification of its accuracy. Qualification for permit exemptions should be judged based on the most credible evidence available. In many cases, the best information available to determine exemption status derives from the emissions inventory.
9.	The quotation from the MOP is consistent with the Response #8 above. Emissions inventory numbers may be used for application purposes, if they are accurate. In any case, the quoted passage does not support the commenter's contention. It addresses information to be included in an application, not methods for determining compliance with emissions limits.
10.	The comment and subsequent elaboration essentially reiterates critiques of the public participation process that have been responded to at CRC Section 3.E. The District acknowledges that interested members of the public have had less time for review and more restricted access to background information than have the District permit-writing staff. However, this in itself is not indicative that public participation was inadequate. As a function of practicality, an inequality of access and effort as between the public and permit agency staff is an attribute of virtually every permitting exercise. The comment fails to explain why Title V in general, or these permits in particular, should be

	approached differently.
11.	The argument supporting a suggested change is incorrect as a matter of law. No change has been made to the permit. Public comment may be helpful for EPA review, but the District believes it is not necessary information for EPA review of a proposed permit. Whether a proposed permit is adequate depends on the terms of the permit and supporting information. While the public's views on this may be of interest to EPA, EPA has all the "necessary" information to make this determination even in the absence of public comment. The District agrees that simultaneous EPA and public review is not ideal. However, in the context of these refinery permits, simultaneous review occurred to a fairly minor degree. The permits first underwent a 90-day comment period, during which extensive comment was received from the public and the refineries (EPA did not comment). All of this comment was made available to EPA prior to commencement of EPA's 45-day review period. In large part because of the extent of changes being made in response to comment, the District held a second, 30-day, comment period for the limited purpose of inviting comment on those further changes. It is only with regard to the relatively small set of issues that constitute these further changes that simultaneous EPA and public review occurred. Most commenters resubmitted, incorporated by reference, or otherwise re-argued their earlier comments. Relatively few new comments actually addressed the changes that were the basis for holding a second comment period. Thus, it is only this limited set of new comments regarding further changes that EPA was lacking at the beginning of its 45-day review period.
12.	The District addressed the issue of whether the requirement to obtain a preconstruction permit is an "applicable requirement" in Section 3.D of the CRC. Though the commenter disagrees with the District's interpretation of that phrase, this disagreement over semantics is without substantive import. One issue raised in this and similar comments seems to be whether a Title V permit can issue if a facility is required to obtain a preconstruction permit but has not yet obtained the needed permit. In the District's view, if such a situation existed and was supported by fact, then the Title V permit would have to include, at the least, a schedule of compliance with milestones for obtaining the needed permit. The District does not agree, however, that Title V creates an obligation on the permitting authority to investigate all possible NSR violations and essentially prove their non-existence as prerequisite to issuing the Title V permit. To the extent this is the commenter's assertion, the District believes it is without legal support. Moreover, from a policy standpoint, it would make no sense to hold issuance of the Title V permit (itself an important enforcement tool) hostage to completion of a potentially interminable effort to prove a negative, namely, the absence of preconstruction permitting violations.
13.	Reporting thresholds for grandfathered sources were established pursuant to the District' s 2-1-403 authority, and not in satisfaction of any Title V requirement. Prior to the advent of Title V, the thresholds would have been established in non-Title V District permits under that authority. Here, the thresholds were established under that authority simultaneously with their incorporation into the Title V permit. The District acknowledges that reporting thresholds are not as useful as emissions limits, but believes they will be useful nonetheless. The thresholds create a reporting obligation that previously did not exist, and that will at least serve as an alert that further investigation regarding compliance with NSR is warranted. The District has made it abundantly clear in the permits, in the statement of basis, and in responses to comments, that compliance with the thresholds is not to be construed as indicating compliance with NSR.
14.	The comment suggests a change that clarifies or improves the permit, but cannot be made at this time. No change has been made to the permit. The District agrees that consistent detail and format is desirable and, to the extent that is not achieved upon initial issuance of the refinery permits, will seek to improve upon this in future revisions. .
15.	The argument supporting a suggested change is incorrect as a matter of law. No change has been made to the permit. As noted above, the reporting thresholds are a product of the non-Title V District permitting program. The District has authority to establish these thresholds and finds unpersuasive the commenter's argument that it is prohibited from including them in the Title V permit.
16.	The District believes the requirements of the recently-promulgated flare monitoring rule have been incorporated appropriately. As noted in next response, the District is investigating whether additional information may be appropriate for incorporation.

17.	. The District has requested the refineries to certify the design destruction efficiency of each flare, and to specify the flow range for which the design is valid. depending on the results of this information request, appropriate permit conditions may subsequently be added to the permit. As noted elsewhere, the District does not know of a technically feasible means for directly monitoring flare destruction efficiency.
18.	The argument supporting a suggested change is factually incorrect. No change has been made to the permit. There is no way to directly monitor flare efficiency. However, it may be possible to monitor flare parameters (flow rate, etc) in a way to ensure that flares operate as designed. See response to previous question. The District disagrees with the suggestion that, because performance measurement techniques are limited, it follows that specification of minimum flare destruction efficiency is contrary to Title V requirements. Flare destruction efficiency is a provision of 12-11, and therefore should be incorporated in the permit. Despite the technical limits of compliance verification, the requirement has relevance and import as a design requirement.
19.	No argument supporting a suggested change is made. No change has been made to the permit.
20.	No argument supporting a suggested change is made. No change has been made to the permit.
21.	A list of insignificant sources would not be an applicable requirements, and would therefore be outside the scope of Title V. Requests for documents should be addressed to the District Public Records Request program. The District is not required to conduct the requested analysis.
22.	The District has explained why it believes this generalized request for information is not germaine to issuance of the Title V permit. Requests for documents should be addressed to the District Public Records Request program. The District is not required to conduct the requested analysis.
23.	The argument supporting a suggested change is factually incorrect. No tank has been exempted from the Title V permit. All hydrocarbon storage tanks are listed in each permit.
24.	The argument supporting a suggested change does not provide sufficient information or analysis to support the change. No change has been made to the permit. The question raised by the comment is insufficiently clear for a response to be possible.
25.	**blank**
26.	The argument supporting a suggested change does not provide sufficient information or analysis to support the change. No change has been made to the permit
27.	. The District has responded to this comment. See C Response 37. The District maintains that its case-by-case determinations comply with its policy for making those determinations, and that the policy is therefore a sufficient explanation for how these decisions were made outside of the Title V context. The District's response explains that this approach to monitoring, instituted pursuant to the applicable requirement, is sufficient to obviate the need for additional Title V monitoring. The District therefore does not take the additional step of justifying each monitoring decision as it would if the monitoring were being imposed pursuant to Title V.
28.	The District fails to understand the meaning of this comment . No response is possible.
29.	The suggested change concerns an issue beyond the scope of the revisions made to the earlier draft, and is therefore untimely. No change has been made to the permit. The District has reviewed the comment, and does not consider it to be correct. Detailed analysis has not, however, been prepared because the District has focused on responding to timely comments. See CRC Response 298. Also see response #27 to Golden Gate University's 9/22/03 comments.
30.	The argument supporting a suggested change does not provide sufficient information or analysis to support the change. No change has been made to the permit. The comment did not identify any sources requiring additional monitoring.
31.	The argument supporting a suggested change does not provide sufficient information or analysis to support the change. No change has been made to the permit. The comment did not identify any sources requiring additional monitoring.
32.	The suggested change concerns an issue beyond the scope of the revisions made to the earlier draft, and is therefore untimely. No change has been made to the permit. The District has reviewed the comment, and does not consider it to be correct. Detailed analysis has not, however, been prepared because the District has focused on responding to timely comments
33.	See response to Comment 17.
34.	The argument supporting a suggested change does not provide sufficient information or analysis to support the change. No change has been made to the permit